

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Revision of the Commission's Rules to)	CC Docket No.94-102
Ensure Compatibility With Enhanced 911)	
Emergency Calling Systems)	
)	
Amendment of Parts 2 and 25 to Implement)	IB Docket No. 99-67
the Global Mobile personal Communications)	
by Satellite (GMPCS) Memorandum of)	
Understanding and Arrangements; Petition of)	
the National Telecommunications and)	
Information Administration to Amend Part)	
25 of the Commission's Rules to Establish)	
Emissions Limits for Mobile and Portable)	
Earth Stations Operating in the 1610-1660.5)	
MHz Band)	

**REPLY COMMENTS OF THE
COLORADO 9-1-1 ADVISORY TASK FORCE**

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Filed on Behalf of the Colorado
9-1-1 Advisory Task Force

March 11, 2003

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I. Introduction and Summary

In this proceeding, the Federal Communications Commission ("FCC" or "Commission") has sought comments on the need to require compliance with the Commission's basic and enhanced 9-1-1 ("E9-1-1") rules by various wireless and wireline voice services, including multi-line telephone systems ("MLTS"), telematics, other mobile wireless devices, and emerging devices and services, in particular requiring callback and distinctive location information to be delivered to Public Safety Answering Points ("PSAPs").¹ Approximately 40 parties have submitted comments in this Further Notice of Proposed Rulemaking ("FNPRM"). In these Reply Comments, the Colorado 9-1-1 Advisory Task Force ("Task Force") will focus on

¹ The following reply comments are submitted on behalf of the Task Force as a whole with the exception of Qwest.

the comments submitted by the 11 parties that addressed the MLTS issue.² We also will have a brief comment concerning what the Commission's E9-1-1 requirements should be for emerging devices and services.

On July 24, 2001, NENA and the Association of Public Safety Communications Officials, Inc. ("APCO") submitted an MLTS proposal to the FCC in this above-captioned docket. In the introduction to that proposal, NENA and APCO opined as follows:

More than eight years have passed since AdComm Engineering first petitioned to amend Part 68 for this purpose (RM-8143). In that span, national rules for identifying and locating wireless callers to 9-1-1 have been adopted and refined but no similar progress has been made on calls from MLTS equipment. NENA and APCO hope their proposal will advance a process stalled for too long.³

It has now been almost ten years since that first petition and since the FCC opened this docket to address E9-1-1 and MLTS. The Task Force urges the Commission to address this critical gap in E9-1-1 access. The Task Force believes the public interest and public safety necessitate the same E9-1-1 requirements for MLTS as for wireline and wireless telephonic devices. Of all the telephonic devices and services mentioned in the FNPRM, only MLTS phones carry the same customer expectations about dialing 9-1-1 as wireline phones. In large part this is because MLTS phones are indistinguishable from wireline phones to end use customers.

Customers expect to dial a 9-1-1 call from a PBX phone and a wireline phone in exactly the same way, and they expect that the same information (i.e., a distinctive callback number and location identification) will be relayed to the PSAP. Our experience in Colorado is that it would

² The Task Force consists of members representing 9-1-1 Authority Boards or Public Safety Answering Points ("PSAPs"), Colorado Counties, Inc., Colorado Municipal League, Office of Consumer Counsel, Federal Communications Commission, the Colorado chapter of the National Emergency Number Association ("NENA"), Disabled Telephone Users, the Basic Emergency Service Provider ("BESP") which is Qwest Corporation ("Qwest"), Competitive Local Exchange Carriers ("CLECs"), the ALI Database Provider, and Wireless Providers.

³ "MLTS Proposal of NENA and APCO," July 24, 2001, at 1.

be rare to find a consumer who is aware there is a difference in the E9-1-1 capability of the vast majority of MLTS, particularly the one they use whether at work, school or home. Residential settings, defined broadly, and schools are critically important to provide access to E9-1-1. Further delay is unwarranted. The E9-1-1 technology exists for wireline MLTS. MLTS operators, equipment manufacturers, and local exchange carriers (“LECs”) have been on notice for almost a decade. The Commission should adopt the NENA-APCO MLTS Proposal. As APCO points out in its comments, unless the Commission requires MLTS to provide full E9-1-1 access, there will be no progress. “That the Commission solicited comment on the issue in 1994 demonstrates the present inertia.”⁴

II. Wireline MLTS E9-1-1 Compliance Is Technically Feasible

Avaya, Inc. (“Avaya”) and NEC America, Inc. (“NEC”), manufacturers of MLTS equipment, support the NENA-APCO Proposal and Model Legislation (including the implementation schedule) and attest to the feasibility of E9-1-1 compliance at least for wireline systems.⁵ Both Avaya and NEC call for federal preemption of inconsistent state and local requirements.

While Avaya and NEC seem in favor of the NENA-APCO Proposal, the Telecommunications Industry Association (“TIA”) questions the Commission’s jurisdiction to impose E9-1-1 requirements on equipment manufacturers and cautions against new requirements that might divert scarce industry resources from current efforts and cites the already “overburdened” PSAPs.⁶ This latter concern derives from the Hatfield Report’s caution against

⁴ APCO Comments at 9.

⁵ Avaya Comments at 1-2; NEC Comments at 2-3.

⁶ TIA Comments at 2-5.

new E9-1-1 requirements during the wireless Phase II deployment.⁷ The Task Force believes any claim of diverting industry resources from Phase II wireless E9-1-1 or overburdening PSAPs by extending E9-1-1 requirements to MLTS is a red herring. If PSAPs are overburdened, one reason is the failure of MLTS to deliver distinctive Automatic Number Identification (“ANI”) and Automatic Location Identification (“ALI”), requiring additional time to obtain this information from the 9-1-1 caller. PSAPs will benefit from imposition of E9-1-1 requirements on MLTS. Moreover, the Task Force wonders how E9-1-1 requirements for MLTS will divert the resources of wireless carriers from Phase II deployment.

III. Any Phase-in of MLTS Compliance Must Make Residential Settings and Schools a Priority.

MLTS is a substitute for wireline basic local telephone service in apartments, townhomes and condominium complexes, resorts, long-term care facilities, school classrooms, university dormitories, etc. If the Commission determines a phase-in of MLTS E9-1-1 requirements is necessary, then these residence and residence-like settings and schools must be a priority. Consumers are likely to be unaware of the E9-1-1 capability of the multi-line system in these settings. Education is more difficult in these settings than in office buildings. And, as a result, the public safety is more at risk.

The Task Force agrees with the comments of the Washington State Enhanced 911 Program (“Washington E911”) that the Commission should examine its direction NECA for assistance to schools in acquiring phone systems under the E-rate program to ensure the system

⁷ Id. See Dale N. Hatfield, A Report on Technical and Operations Issues Impacting the Provisions of Wireless Enhanced E911 Services, Public Notice, DA 02-2666 (“Hatfield Report”).

has E9-1-1 connectivity.⁸ Post-Columbine High School, schools are more concerned with the safety of their students and access to E9-1-1, but funding is always a problem.

IV. Emerging Services and Devices Should Be Required to Provide E9-1-1 Service.

The Task Force agrees with the comments of NENA and NASNA, Washington E911, and APCO that the Commission should adopt the principle that “If a device is capable of dialing 9-1-1 or reaching an emergency assistance call center, it should be fitted with the capability to pass a call-back number and a location.”⁹ The Commission should give notice that “compliance with E911 must be a fundamental element of any service.”¹⁰ In this way, manufacturers and providers of communication devices that enable callers to dial 9-1-1 will build that capability into product development. Washington E911 points out that the history of E9-1-1 implementation has been reactionary, so that engineering efforts to provide for consumer safety have necessitated retrofitting or patching up something broken.¹¹ The implementation of wireless E9-1-1 is a good example of this approach and the difficulty of re-engineering a well-developed technology.

V. Conclusion

The Colorado 9-1-1 Advisory Task Force supports the Commission requiring MLTS operators and providers to comply with its E9-1-1 rules, in particular requiring callback and distinctive location information to be delivered to PSAPs. The public interest and public safety necessitate the same E9-1-1 requirements for MLTS as are currently in place for wireline and wireless telephonic devices. We also urge the Commission to require emerging devices and

⁸ Washington E911 Comments at 8.

⁹ Comments of NENA and NASNA at 15. See also Washington E911 Comments at 9-10; and APCO Comments at 3-4.

¹⁰ APCO Comments at 4.

services that enable callers to dial 9-1-1 be engineered to provide E9-1-1 as a forward-looking, proactive policy.

Respectfully submitted,

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¹¹ Washington E911 Comments at 2.